

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

Christopher J. Cullins,  
Plaintiff,

v.

Sumter Police Department, et. al.  
Defendants.

Case No. 8:10-cv-264-RMG

**ORDER**

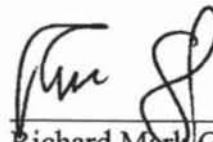
This *pro se* action arises under 42 U.S.C. § 1983 and seeks money damages for alleged violations of Plaintiff's constitutional rights resulting from a traffic stop, search and arrest. This matter comes before the Court on motions for summary judgment filed by various prosecutors and law enforcement officials named as defendants in this action. (Dkt. Entry 27, 42, 48). All pre-trial proceedings were referred to the Magistrate Judge pursuant to 28 U.S.C. § 636(B)(1)(b) and Local Rule 73.02(B)(2)(d). Magistrate Judge Bruce Howe Hendricks issued a Report and Recommendation on January 4, 2011, recommending that the Defendants' motions be granted and the case dismissed with prejudice. (Dkt. Entry 84). The Magistrate Judge provided Plaintiff a Notice setting forth the deadline for filing objections and the consequences for failing to submit a timely objection. (Dkt. Entry 84-1). Plaintiff failed to file an objection to the Magistrate Judge's Report and Recommendation.

This Court is charged with conducting a *de novo* review of any portion of the Magistrate Judge's Report to which a specific objection is made and may accept, reject or modify, in whole or in part, the recommendation of the Magistrate Judge. 28 U.S.C. §636(B)(1). However, absent a timely objection by a dissatisfied party, it appears Congress did not intend for the District Court to

review the factual and legal conclusions of the Magistrate Judge. *Thomas v. Arn*, 474 U.S. 140, 150 (1985). Additionally, any party who fails to file a timely, written objection to the Magistrate Judge's Report waives the right to raise those objections at the appellate court level. *United States v. Schronce*, 727 F. 2d 91, 92 (4<sup>th</sup> Cir. 1985).

A review of the record indicates that the Magistrate Judge's Report and Recommendation accurately summarizes the case and applicable law. It is therefore **ORDERED** that the Magistrate Judge's Report and Recommendation is adopted as the Order of this Court. For reasons articulated in the Report and Recommendation, Defendants motions for summary judgment (Dkt Entry 27, 42, 48) are **GRANTED** and this action is hereby dismissed with prejudice.

**AND IT IS SO ORDERED.**



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Richard Mark Gergel  
United States District Court Judge

January 27, 2011  
Charleston, South Carolina